



General Assembly

January Session, 2013

***Raised Bill No. 1094***

LCO No. 4205



Referred to Committee on PUBLIC SAFETY AND  
SECURITY

Introduced by:  
(PS)

***AN ACT CONCERNING EMERGENCY SERVICES AND PUBLIC  
PROTECTION.***

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. Subsection (b) of section 19a-491c of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (b) (1) On or before July 1, 2012, the Department of Public Health  
5 shall create and implement a criminal history and patient abuse  
6 background search program, within available appropriations, in order  
7 to facilitate the performance, processing and analysis of the criminal  
8 history and patient abuse background search of individuals who have  
9 direct access.

10 (2) The Department of Public Health shall develop a plan to  
11 implement the criminal history and patient abuse background search  
12 program, in accordance with this section. In developing such plan, the  
13 department shall (A) consult with the Commissioners of Emergency  
14 Services and Public Protection, Developmental Services, Mental Health  
15 and Addiction Services, Social Services and Consumer Protection, or

16 their designees, the State Long-Term Care Ombudsman, or a designee,  
 17 the chairperson for the Board of Pardons and Paroles, or a designee, a  
 18 representative of each category of long-term care facility and  
 19 representatives from any other agency or organization the  
 20 Commissioner of Public Health deems appropriate, (B) evaluate factors  
 21 including, but not limited to, the administrative and fiscal impact of  
 22 components of the program on state agencies and long-term care  
 23 facilities, background check procedures currently used by long-term  
 24 care facilities, federal requirements pursuant to Section 6201 of the  
 25 Patient Protection and Affordable Care Act, P.L. 111-148, as amended  
 26 from time to time, and the effect of full and provisional pardons on  
 27 employment, and (C) outline (i) an integrated process with the  
 28 Department of [Public Safety] Emergency Services and Public  
 29 Protection to cross-check and periodically update criminal information  
 30 collected in criminal databases, (ii) a process by which individuals  
 31 with disqualifying offenses can apply for a waiver, and (iii) the  
 32 structure of an Internet-based portal to streamline the criminal history  
 33 and patient abuse background search program. The Department of  
 34 Public Health shall submit such plan, including a recommendation as  
 35 to whether homemaker-companion agencies should be included in the  
 36 scope of the background search program, to the joint standing  
 37 committees of the General Assembly having cognizance of matters  
 38 relating to aging, appropriations and the budgets of state agencies, and  
 39 public health, in accordance with the provisions of section 11-4a, not  
 40 later than February 1, 2012.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>from passage</i>	19a-491c(b)
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***PS***      *Joint Favorable*